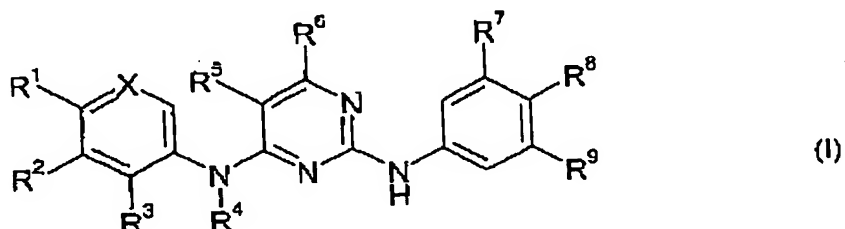


Amendments to the Claims:

Listing of Claims:

1. (original): A method of treating or preventing a condition susceptible to treatment with an ALK inhibiting agent which comprises inhibiting ALK or a gene fusion thereof with a compound of formula I



wherein

X is =CR⁰- or =N-;

each of R⁰, R¹, R², R³ and R⁴ independently is hydrogen; hydroxy; C₁-C₈alkyl; C₂-C₈alkenyl; C₃-C₈cycloalkyl; C₃-C₈cycloalkyl-C₁-C₈alkyl; hydroxyC₁-C₈alkyl; C₁-C₈alkoxyC₁-C₈alkyl; hydroxyC₁-C₈alkoxyC₁-C₈alkyl; arylC₁-C₈alkyl which optionally may be substituted on the ring by hydroxy, C₁-C₈alkoxy, carboxy or C₁-C₈alkoxycarbonyl;

or R³ and R⁴ form together with the nitrogen and carbon atoms to which they are attached a 5 to 10 membered heterocyclic ring and comprising additionally 1, 2 or 3 heteroatoms selected from N, O and S;

or each of R¹, R² and R³, independently, is halogen; halo-C₁-C₈alkyl; C₁-C₈alkoxy; halo-C₁-C₈alkoxy; hydroxyC₁-C₈alkoxy; C₁-C₈alkoxyC₁-C₈alkoxy; aryl; arylC₁-C₈alkoxy; heteroaryl; heteroaryl-C₁-C₄alkyl; 5 to 10 membered heterocyclic ring; nitro; carboxy; C₂-C₈alkoxycarbonyl; C₂-C₈alkylcarbonyl; -N(C₁-C₈alkyl)C(O) C₁-C₈alkyl; -N(R¹⁰)R¹¹; -CON(R¹⁰)R¹¹; -SO₂N(R¹⁰)R¹¹; or -C₁-C₄-alkylene-SO₂N(R¹⁰)R¹¹; wherein each of R¹⁰ and R¹¹ independently is hydrogen; hydroxy; C₁-C₈alkyl; C₂-C₈alkenyl; C₃-C₈cycloalkyl; C₃-C₈cycloalkyl-C₁-C₈alkyl; C₁-C₈alkoxyC₁-C₈alkyl; hydroxyC₁-C₈alkoxyC₁-C₈alkyl; hydroxyC₁-C₈alkyl; (C₁-C₈alkyl)-carbonyl; arylC₁-C₈alkyl which optionally may be substituted on the ring by hydroxy, C₁-C₈alkoxy, carboxy or C₂-C₈alkoxycarbonyl; or 5 to 10 membered heterocyclic ring;

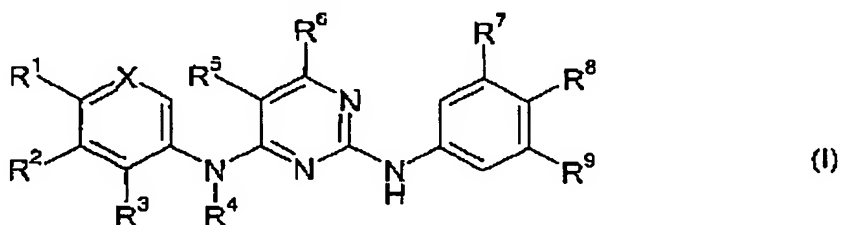
or R¹ and R² form together with the C-atoms to which they are attached aryl or a 5 to 10 membered heteroaryl residue comprising one or two heteroatoms selected from N, O and S; or

each of R⁵ and R⁶ independently is hydrogen; halogen; cyano; C₁-C₈alkyl; halo-C₁-C₈alkyl; C₂-C₈alkenyl; C₂-C₈alkynyl; C₃-C₈cycloalkyl; C₃-C₈cycloalkylC₁-C₈alkyl; C₅-C₁₀arylC₁-C₈alkyl;

each of R⁷, R⁸ and R⁹ is independently hydrogen; hydroxy; C₁-C₈alkyl; C₂-C₈alkenyl; halo-C₁-C₈alkyl; C₁-C₈alkoxy; C₃-C₈cycloalkyl; C₃-C₈cycloalkylC₁-C₈alkyl; arylC₁-C₈alkyl; -Y-R¹² wherein Y is a direct bond or O and R¹² is a substituted or unsubstituted 5, 6 or 7 membered heterocyclic ring comprising 1, 2 or 3 heteroatoms selected from N, O and S; carboxy; (C₁-C₈alkoxy)-carbonyl; -N(C₁-C₈alkyl)-CO-NR¹⁰R¹¹; -CONR¹⁰R¹¹; -N(R¹⁰)(R¹¹); -SO₂N(R¹⁰)R¹¹; R⁷ and R⁸ or R⁸ and R⁹, respectively form together with the carbon atoms to which they are attached, a 5 or 6 membered heteroaryl comprising 1, 2 or 3 heteroatoms selected from N, O and S; or a 5 or 6 membered carbocyclic ring.

in free form or salt form.

2. (original): A method according to claim 1 wherein at most one of R¹, R² or R³ is -CON(R¹⁰)R¹¹; or -SO₂N(R¹⁰)R¹¹.
3. (original): A method of claim 1 wherein the condition is a proliferative disease.
4. (original): A method of claim 1 wherein a gene fusion containing ALK is inhibited.
5. (currently amended): Use of A method for the treatment of a hematological or neoplastic disease comprising administering a compound of formula I



wherein

X is =CR⁰- or =N-;

each of R⁰, R¹, R², R³ and R⁴ independently is hydrogen; hydroxy; C₁-C₈alkyl; C₂-C₈alkenyl; C₃-C₈cycloalkyl; C₃-C₈cycloalkyl-C₁-C₈alkyl; hydroxyC₁-C₈alkyl; C₁-C₈alkoxyC₁-C₈alkyl; hydroxyC₁-C₈alkoxyC₁-C₈alkyl; arylC₁-C₈alkyl which optionally may be substituted on the ring by hydroxy, C₁-C₈alkoxy, carboxy or C₁-C₈alkoxycarbonyl;

or R³ and R⁴ form together with the nitrogen and carbon atoms to which they are attached a 5 to 10 membered heterocyclic ring and comprising additionally 1, 2 or 3 heteroatoms selected from N, O and S;

or each of R¹, R² and R³, independently, is halogen; halo-C₁-C₈alkyl; C₁-C₈alkoxy; halo-C₁-C₈alkoxy; hydroxyC₁-C₈alkoxy; C₁-C₈alkoxyC₁-C₈alkoxy; aryl; arylC₁-C₈alkoxy; heteroaryl; heteroaryl-C₁-C₄alkyl; 5 to 10 membered heterocyclic ring; nitro; carboxy; C₂-C₈alkoxycarbonyl; C₂-C₈alkylcarbonyl; -N(C₁-C₈alkyl)C(O) C₁-C₈alkyl; -N(R¹⁰)R¹¹; -CON(R¹⁰)R¹¹; -SO₂N(R¹⁰)R¹¹; or -C₁-C₄-alkylene-SO₂N(R¹⁰)R¹¹; wherein each of R¹⁰ and R¹¹ independently is hydrogen; hydroxy; C₁-C₈alkyl; C₂-C₈alkenyl; C₃-C₈cycloalkyl; C₃-C₈cycloalkyl-C₁-C₈alkyl; C₁-C₈alkoxyC₁-C₈alkyl; hydroxyC₁-C₈alkoxyC₁-C₈alkyl; hydroxyC₁-C₈alkyl; (C₁-C₈alkyl)-carbonyl; arylC₁-C₈alkyl which optionally may be substituted on the ring by hydroxy, C₁-C₈alkoxy, carboxy or C₂-C₈alkoxycarbonyl; or 5 to 10 membered heterocyclic ring;

or R¹ and R² form together with the C-atoms to which they are attached aryl or a 5 to 10 membered heteroaryl residue comprising one or two heteroatoms selected from N, O and S; or

each of R⁵ and R⁶ independently is hydrogen; halogen; cyano; C₁-C₈alkyl; halo-C₁-C₈alkyl; C₂-C₈alkenyl; C₂-C₈alkynyl; C₃-C₈cycloalkyl; C₃-C₈cycloalkylC₁-C₈alkyl; C₅-C₁₀arylC₁-C₈alkyl;

each of R⁷, R⁸ and R⁹ is independently hydrogen; hydroxy; C₁-C₈alkyl; C₂-C₈alkenyl; halo-C₁-C₈alkyl; C₁-C₈alkoxy; C₃-C₈cycloalkyl; C₃-C₈cycloalkylC₁-C₈alkyl; arylC₁-C₈alkyl; -Y-R¹² wherein Y is a direct bond or O and R¹² is a substituted or unsubstituted 5, 6 or 7 membered heterocyclic ring comprising 1, 2 or 3 heteroatoms selected from N, O and S; carboxy; (C₁-C₈alkoxy)-carbonyl; -N(C₁-C₈alkyl)-CO-NR¹⁰R¹¹; -CONR¹⁰R¹¹; -N(R¹⁰)(R¹¹); -SO₂N(R¹⁰)R¹¹; R⁷ and R⁸ or R⁸ and R⁹, respectively form together with the carbon atoms to which they are attached, a 5 or 6 membered heteroaryl comprising 1, 2 or 3 heteroatoms selected from N, O and S; or a 5 or 6 membered carbocyclic ring.

in free form or salt form;

~~for the preparation of a medicament for the treatment of a hematological and neoplastic disease.~~

6. (currently amended): A use method according to claim 5 wherein at most one of R¹, R² or R³ is -CON(R¹⁰)R¹¹; or -SO₂N(R¹⁰)R¹¹.

37. (currently amended) A use method according to claim 5 wherein the condition is a proliferative disease.

48. (currently amended) A use method according to claim 5 wherein a gene fusion containing ALK is inhibited.